

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

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CYNTHIA GEIGER and CRYSTAL DAVIS,

Plaintiffs,

v.

RYAN FULLER SMALLWOOD,

Defendant.

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CIVIL ACTION NO.: 3:06cv194-WHA

**REPORT OF DISCOVERY PLANNING MEETING**

1. Pursuant to the Federal Rules of Civil Procedure 26(f), a meeting was held on March 20, 2006, and Benjamin H. Parr and Stanley A. Martin participated.

Benjamin H. Parr for the Plaintiffs Cynthia Geiger and Crystal Davis.

Stanley A. Martin for the Defendant Ryan Fuller Smallwood.

**2. Pre-Discovery Disclosures**

The parties will exchange **within 30 days of April 1, 2006** their initial disclosures required by Federal Rule of Civil Procedure 26(a)(1), which shall include the following:

(a) The name and, if known, the address and telephone number of each individual believed by them to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information.

(b) A copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claim or defenses, unless solely for impeachment;

(c) A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered; and

(d) For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

### **3. Discovery Plan**

The parties jointly propose to the Court the following discovery plan:

- Discovery will be needed on the following subjects:

Details of the accident and experts, if any.

- All discovery shall be completed on or before **60 DAYS PRIOR TO THE PRETRIAL HEARING**, except that, as to any witnesses whose names are not revealed with sufficient time for the other parties to take a deposition prior to the pretrial conference, the opposing party shall have the time extended in this paragraph to allow for deposing such witnesses.

- Maximum of 40 Interrogatories, including sub-parts, by each party to any other party. The Answers are due 30 days after service.

- Maximum of 20 Requests for Admission by each party to any other party. The Responses are due 30 days after service.

- Maximum of 5 depositions by the Plaintiff and 5 by the Defendant.

- Each deposition is limited to a maximum of 3 hours unless extended by agreement of parties.

- Reports from retained experts under Rule 26(a)(2) due:

**from Plaintiff at least 75 days prior to the pretrial hearing.**

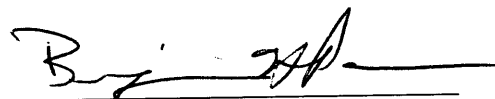
**from Defendant at least 45 days prior to the pretrial hearing.**

Supplementations under Rule 26(3) shall be made **21 days after obtaining said information and no later than 30 days before trial.**

**4. Other Items.**

- The parties **do not** request a conference with the Court before entry of the Scheduling Order.
- The parties request a pretrial conference approximately **45 days** before the trial date.
- The Plaintiff should be allowed until **30 days after discovery is complete** to join additional parties and amend the pleadings.
- The Defendant should be allowed until **30 days after discovery is complete** to join additional parties and amend the pleadings.
- All potentially dispositive motions should be filed **90 days before the pretrial hearing**.
- Settlement cannot be evaluated prior to the end of discovery.
- Final lists of witnesses and exhibits under Rule 26(a)(3) for the parties should be due no later than **21 DAYS PRIOR TO THE TRIAL**.
- Parties should have **7 days** after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).
- The case should be ready for trial during the **May 7, 2007** term of Court.

This 20<sup>th</sup> of March, 2006.



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